

1 applicable here.” School Dist. No. 1J, Multnomah County, 5 F.3d at 1263 (internal quotation
2 marks and citation omitted).

3 **II. Defendants’ Motion for Rule 11 Sanctions**

4 Defendants move for Rule 11 sanctions. They argue that the evidence offered by
5 plaintiffs in support of their motions was not recently discovered and thus may not form the
6 basis of a motion for reconsideration and the rest of plaintiffs’ arguments simply repeat
7 arguments they have previously made to the Court.

8 The Court agrees that much of plaintiffs’ motions for reconsideration simply
9 repeat—sometimes nearly verbatim—the arguments made in their motion to vacate and their
10 responses to the Show Cause Orders and thus are not appropriate bases for a motion for
11 reconsideration. The gravamen of their motions, however, is that their cases have merit.
12 While plaintiffs have not persuaded the Court to reconsider its earlier rulings, the Court does
13 not find the motions sanctionable, especially in light of the result of the earlier rulings:
14 dismissal with prejudice. The Court also does not find plaintiffs’ presentation of the
15 affidavit to be sanctionable. Accordingly, the Court in its discretion DENIES the motions for
16 Rule 11 sanctions.

17 **IT IS SO ORDERED.**

18 Dated: September 8, 2008



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CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE